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Notice of Allowability

Application No.

10/658,237

Examiner

Jimmy T Nguyen

Applicant(s)

VAN DER BEEK ET AL.

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/17/05.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 9/9/03 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/959,240.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

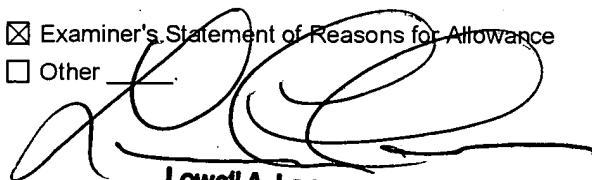
* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



Lowell A. Larson
Primary Examiner

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Christa Hidebrand on May 11, 2005.

The application has been amended as follows:

In the specification, paragraph 1, line 2:

Numeral "6,6782,595" has been changed to --- 6,782,595 ---.

In claim 1, line 5:

The word ", filling" has been changed to --- **for filling the pressing sleeve with the metal chips** ---.

In claim 1, line 8:

The words "the pressurization" have been changed to --- **a final pressure** ---.

In claim 1, line 11:

The word "into the" have been changed to --- **into a** ---.

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In claim 1, lines 12-17:

The last paragraph (lines 12-17) has been replaced with the following paragraph ---
wherein during the application of pressure (P.sub.max or P.sub.req) with the press ram, an actual attained length of the pressed article (L.sub.actual) is measured and the measured actual attained length of the pressed article is compared to a nominal length (L.sub.nominal) of the pressed article to determine a difference value (.DELTA.) between the actual attained length (L.sub.actual) and the nominal length (L.sub.nominal), and a quantity or mass of the metal chips that the metering device has to supply is determined from the difference value (.DELTA.) according to the nominal length (L.sub.nominal) of the pressed article, followed by adjusting a filling mass of the metal chips in the metering device and supplying the corresponding quantity or mass of the metal chips by the stamper. ---

In claim 2, line 3:

The word "pressurization" has been changed to --- **final pressure** ---.

In claim 6, line 2:

The word "an" has been changed to --- **the** ---.

In claim 8, line 8:

The words "accommodate each at least one measuring device" have been changed to ---
each of the piston rods accommodates a measuring device ---.

In claim 8, line 14:

“/” has been changed to --- or ---.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the art of record, considered alone or in combination, neither anticipates nor renders obvious a method for briquetting metal chips comprising the step of *pressurizing the metal chips by at least one press ram until the pressurization or required pressure is reached, wherein during the application of pressure with the press ram, an actual attained length of the pressed article is measured and the measured actual attained length of the pressed article is compared to a nominal length of the pressed article to determine a difference value between the actual attained length and the nominal length, and a quantity or mass of the metal chips that the metering device has to supply is determined from the difference value according to the nominal length of the pressed article, followed by adjusting a filling mass of the metal chips in the metering device and supplying the corresponding quantity or mass of the metal chips by the stamper*, in combination with the rest of the claimed limitations.

Regarding claim 8, the art of record, considered alone or in combination, neither anticipates nor renders obvious a briquetting press *comprising a control circuit positioned between a measuring device and a metering device for influencing the metering of metal chips depending on the briquette lengths recorded by the measuring device, wherein the control circuit*

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includes actuators and a logic module for controlling the processing sequence of briquette length and metering mass, in combination with the rest of the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

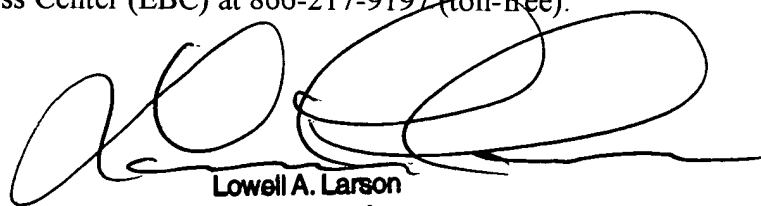
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNgyuen



Lowell A. Larson
Primary Examiner

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May 11, 2005